

Union Calendar No. 386

107TH CONGRESS
2^D SESSION**H. R. 4953****[Report No. 107-637]**

To direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road.

IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2002

Mr. WALDEN of Oregon introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 4, 2002

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on June 17, 2002]

A BILL

To direct the Secretary of the Interior to grant to Deschutes and Crook Counties in the State of Oregon a right-of-way to West Butte Road.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. COUNTY RIGHT-OF-WAY TO WEST BUTTE ROAD**
2 **IN THE STATE OF OREGON.**

3 (a) *DEFINITIONS.—In this Act:*

4 (1) *WEST BUTTE ROAD.—The term “West Butte*
5 *Road” means the unpaved Bureau of Land Manage-*
6 *ment road in the State of Oregon identified on the*
7 *map as BLM Road 6520.*

8 (2) *COUNTY.—The term “County” means each of*
9 *Crook County and Deschutes County in the State of*
10 *Oregon.*

11 (3) *MAP.—The term “map” means the map enti-*
12 *tled “West Butte Road Right of Way” dated July 17,*
13 *2002.*

14 (4) *SECRETARY.—The term “Secretary” means*
15 *the Secretary of the Interior, acting through the Di-*
16 *rector of the Bureau of Land Management.*

17 (b) *GRANT TO COUNTIES.—Notwithstanding any other*
18 *Act, and subject to subsection (d), the Secretary shall grant*
19 *to each County a right-of-way to the West Butte Road.*

20 (c) *BOUNDARIES.—*

21 (1) *IN GENERAL.—Subject to paragraph (2), the*
22 *rights-of-way granted under subsection (b) shall—*

23 (A) *extend in length from Reservoir Road*
24 *in Crook County to United States Route 20 in*
25 *Deschutes County, Oregon; and*

1 *(B) shall extend in width 100 feet on each*
2 *side of the centerline of West Butte Road.*

3 (2) *MODIFICATIONS.—*

4 (A) *STATE ROADS.—*

5 (i) *IN GENERAL.—The Secretary shall*
6 *amend the existing rights-of-way of each of*
7 *the Counties as contained in their respective*
8 *road case files to include the rights-of-way*
9 *granted under subsection (b).*

10 (ii) *EFFECT.—The rights-of-way*
11 *amended under clause (i) shall be subject to*
12 *the common terms, conditions, and stipula-*
13 *tions identified in the Counties' rights-of-*
14 *way grants that apply on the date of enact-*
15 *ment of this Act.*

16 (iii) *CONSIDERATION OF ENVIRON-*
17 *MENTAL CONCERNS.—Environmental con-*
18 *cerns associated with any development of*
19 *the West Butte Road shall be addressed by*
20 *the County in meeting compliance require-*
21 *ments associated with State and Federal*
22 *highway projects and the National Environ-*
23 *mental Policy Act of 1969 as administered*
24 *by the Federal Highway Administration.*

1 (B) *WEST BUTTE ROAD.*—Notwithstanding
2 any other Act, the Secretary shall provide for ad-
3 justment to the right-of-way width and align-
4 ment granted under subsection (b) in portions of
5 the West Butte Road necessary for the road to
6 meet applicable State and Federal highway
7 standards.

8 (d) *RELINQUISHMENT OF RIGHT-OF-WAY.*—The right-
9 of-way granted to each County under subsection (b) shall
10 be contingent upon the Counties relinquishing any right,
11 title, or interest in and to any RS 2477 right-of-way claim
12 held by the Counties to the portion of the road known as
13 George Millican Road that is located in the area described
14 in subsection (c)(1).

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